

# **Exhibit A**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

BEST MEDICAL INTERNATIONAL, )  
INC., )  
 )  
Plaintiff, )  
 )  
v. ) C.A. No. 18-1599-MN  
 )  
VARIAN MEDICAL SYSTEMS, INC., )  
AND VARIAN MEDICAL SYSTEMS )  
INTERNATIONAL AG, )  
 )  
Defendants. )

**SUPPLEMENTAL SCHEDULING ORDER**

At Wilmington this \_\_\_\_ day of \_\_\_\_\_, 2019.

**WHEREAS**, the Court has considered the parties' letter submissions setting out their proposals for case narrowing;

**NOW, THEREFORE, IT IS HEREBY ORDERED** that the case schedule shall be amended, and the case shall be narrowed, as set out in the chart below:

| Date       | Case Event or Deadline  | Reduction of Asserted Claims/Prior Art |
|------------|---|--|
| 10/4/2019  | N/A   | 25 asserted claims                     |
| 10/18/2019 | Initial Invalidity Contentions  | N/A                                    |
| 11/15/2019 | Preliminary Election of Asserted Claims   | 16 asserted claims                     |
| 12/6/2019  | Preliminary Election of Asserted Prior Art                                      | 35 prior art references and/or systems |
| 8/19/2020  | Final Election of Asserted Claims (same date as Final Infringement Contentions) | 10 asserted claims                     |

| Date      | Case Event or Deadline   | Reduction of Asserted Claims/Prior Art              |
|-----------|--|---|
| 9/16/2020 | Final Election of Asserted Prior Art (same date as Final Invalidity Contentions) | 20 prior art references and/or systems <sup>1</sup> |

The instant schedule sets a multi-stage “ceiling” on the number of claims/total references/prior art arguments that can possibly be asserted in the case. The Court, however, recognizes that even after the final cut-down set forth above, the case will still have to be further narrowed prior to trial. The Court expects the parties to try to accomplish that additional narrowing on their own, without Court intervention.

The parties may seek to modify the limits in the above-referenced schedule in the future upon a showing of good cause.

SO ORDERED this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
United States District Judge

<sup>1</sup> For purposes of this Final Election of Asserted Prior Art, each obviousness combination counts as a separate prior art reference.